

**Notice of Tentative Determination and Public Hearing:
Intent to Issue the General Permit to Limit Incompatibility Excess Emissions and
Provide an Exemption from Stage II Vapor Recovery Requirements**

The Commissioner of the Department of Energy and Environmental Protection (DEEP) hereby gives notice pursuant to Connecticut General Statutes (CGS) sections 22a-174(k) and 22a-183 of a tentative determination to issue the General Permit to Limit Incompatibility Excess Emissions and Provide an Exemption from Stage II Vapor Recovery Requirements. In making this tentative determination, the Commissioner finds that emission reductions from onboard refueling vapor recovery are essentially equal to and will soon surpass the emissions reduction achieved by Stage II vapor recovery systems alone. Starting in 2015, continued compliance with the Stage II vapor recovery requirements of section 22a-174-30 of the Regulations of Connecticut State Agencies (RCSA) will cause increases in volatile organic compound and toxic air pollutant emissions, thereby negatively impacting public health, and impose unnecessary maintenance costs on owners of gasoline dispensing facilities.

The general permit authorizes a person to decommission Stage II vapor recovery systems at a gasoline dispensing facility in Connecticut and grants an exemption from the following requirements of RCSA section 22a-174-30: subsections (b); (c)(1) through (5); (d); (e); and (g). The general permit specifies the elements required in the Stage II vapor recovery system decommissioning process; maintenance requirements for Stage I vapor recovery equipment; annual testing requirements for Stage I vapor recovery equipment; and recordkeeping and reporting requirements.

A copy of the general permit is available for inspection at DEEP, Bureau of Air Management, Engineering Section, 79 Elm Street, Hartford, CT from 9AM-4:30PM, Monday through Friday. The general permit and related materials are also available for viewing on DEEP's website at http://www.ct.gov/dep/cwp/view.asp?a=2684&q=322140&depNav_GID=1619. A copy of the general permit may also be obtained by calling DEEP at 860-424-3416.

PUBLIC COMMENT

All interested persons are invited to provide comment or information on the tentative determination to issue the general permit. Comments may be submitted in writing or provided at the public hearing described later in this notice. Written comments shall be submitted no later than 5PM on January 9, 2013 and directed to Merrily A. Gere by post to DEEP, Bureau of Air Management, 79 Elm Street, Hartford, CT 06106-5127 or by electronic mail to merrily.gere@ct.gov. In addition to comments on the technical elements of the general permit, the Commissioner invites comment on any practical difficulties or hardships that may result should this general permit not be issued.

PUBLIC HEARING

Pursuant to CGS section 22a-183, the Commissioner will hold a public hearing on this matter on **January 9, 2013 at 1:30PM** in the Phoenix Auditorium at DEEP Headquarters, 79 Elm Street, Hartford, Connecticut. Notice of the hearing is posted on the "Calendar of Events" on DEEP's website at <http://www.depdata.ct.gov/calendar/>. The public hearing will be rescheduled if

inclement weather results in closure of the 79 Elm Street office. Members of the public should check the Calendar of Events for the date and time of the rescheduled hearing if inclement weather prevents the holding of the scheduled hearing.

Pursuant to CGS section 22a-174(k), any person who wishes to maintain the right to appeal the Commissioner's decision to approve or deny the general permit may petition for a contested case hearing. Such a petition shall be submitted no later than December 7, 2012. Petitions for a hearing should identify a contact person to receive notifications. Petitions may also identify a person who is authorized to engage in discussions and to withdraw the petition. Such a petition shall be mailed or delivered to DEEP's Office of Adjudications, 79 Elm Street, 3rd Floor, Hartford, CT 06106-5127. Petitions cannot be sent by facsimile or electronic mail. Additional information may be found at http://www.ct.gov/dep/cwp/view.asp?a=2683&q=445130&depNav_GID=1957.

ADA STATEMENT

DEEP is an affirmative action/ equal opportunity employer. Any person with a disability who may need information in an alternative format should contact the ADA Coordinator at 860-424-3194 or at DEEP.HRmed@ct.gov. Persons who are limited English proficient who may need information in another language should contact the Title VI Coordinator at 860-424-3035 or at DEEP.aaoffice@ct.gov. Persons who are hearing impaired should call the State of Connecticut relay number 711. Requests for accommodations shall be made at least two weeks prior to the program date.

November 1, 2012
Date

/s/Macky McCleary, Deputy Commissioner